IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5356 of 1997

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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JAVANSINH P RATHOD (THAKARDA) - Petitioner(s)

Versus

GUJARAT STATE ROAD TRANSPORT CORPORATION & 1 - Respondent(s)

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Appearance :

MR JS BRAHMBHATT for Petitioner No(s).: 1.

MS BHAVIKA KOTECHA for MR YOGESH S LAKHANI for Respondent No(s).: 1,2.

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CORAM :HON'BLE MR JUSTICE KS JHAVERI

Date : 15/07/2005

ORAL JUDGMENT

1.0 The petitioner has challenged the order dated

17.01.1995 passed by the respondent authority at Annexure-C to the petition.

2.0 I have heard learned counsel for the parties and perused the documents placed on record. The appropriate remedy available to the petitioner is to approach the Labour Court first.

3.0 In that view of the matter, if the petitioner desires to approach the Labour Court, he shall file an application before the competent Court within a period of two months from today. If such an application is received by the competent Court, the competent Court is directed to consider the same in accordance with law. Since the petitioner has approached this Court in a bonafide belief, the competent Court is directed to dispose of the matter as expeditiously as possible and preferably within a period of two years from the receipt of application from the petitioner.

3.0 With the above observation, the petition stands disposed of accordingly. Rule is discharged with no order as to costs.

(K. S. JHAVERI, J.)

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